**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6925 OF 2006

Sunil Balaram Raut .. Petitioner.
Vs.
M/s.Group Grampanchayat,
Mapgaon, Tal.Alibag, .. Respondent.

Mrs.S.S.Joshi for the petitioner.
Mr.Rajesh More for the respondent.

**CORAM : D.B.BHOSALE, J.**

**DATED : 19TH OCTOBER, 2006**

P.C.:

. Heard learned counsel for the petitioner and the respondent.

2. Mrs.Joshi, learned counsel does not press this petition and on instructions from her client, who is present in the court, seeks liberty to remove the disputed tin shed on or before 3rd November, 2006. Mr.More, learned counsel for the respondent has no objection for granting such liberty. However, he states that if the petitioner fails to remove the shed on or before 3rd November, 2006 they may be permitted to remove the shed. Mrs.Joshi does not object to the permission sought by Mr.More. Having considered the submissions of learned counsel for the parties the petition stands disposed of by the following order:

(a) The petitioner is given liberty to remove/demolish the tin shed in dispute admeasuring 29.40 sq. mtrs. on or before 3rd November, 2006. If the petitioner fails to remove the said shed as aforestated it is open for the respondent - gram panchayat to remove/demolish the said shed.

(b) It is open for the petitioner to file appropriate application seeking injunction against the grampanchayat from erecting any structure on the plot of land on which the aforesaid tin shed situate. If such an application is filed same may be considered in accordance with law.

. The writ petition is, accordingly, disposed of as not pressed.

**(D.B.Bhosale, J.)**